

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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MACKENZIE-CHILDS, LTD.,

Plaintiff,

Civil Action No.  
06-CV-6107-MAT-  
MWP

- vs -

VICTORIA MACKENZIE-CHILDS, RICHARD MACKENZIE-  
CHILDS and V&R EMPRISE, LLC,

Defendants.

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VICTORIA MACKENZIE-CHILDS, RICHARD MACKENZIE-  
CHILDS and V&R EMPRISE, LLC,

Counterclaim Plaintiffs,

- vs -

PLEASANT ROWLAND, MACKENZIE-CHILDS OF NEW  
YORK, LTD. and MACKENZIE-CHILDS, LTD.,

Counterclaim Defendants.

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**STIPULATION AND ORDER**

The undersigned parties stipulate:

- (1) to join MC Acquisition 2008 LLC as an additional Plaintiff;
- (2) to substitute Nixon Peabody LLP for Harter Secrest & Emery LLP as attorneys of record for MacKenzie-Childs, Ltd., Pleasant Rowland, and MacKenzie-Childs of New York, Ltd.

By agreeing to this Stipulation, Defendants do not waive any rights they may have against Harter Secrest & Emery LLP.

**SO STIPULATED**

/s/ Howard D. Leib

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VICTORIA MACKENZIE-CHILDS and V&R  
EMPRISE, LLC

/s/ Richard D. Rochford

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ATTORNEYS FOR MC ACQUISITION 2008  
LLC, PLEASANT ROWLAND,  
MACKENZIE-CHILDS OF NEW YORK,  
LTD. and MACKENZIE-CHILDS, LTD.

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**SO ORDERED**

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Marian W. Payson  
United States Magistrate Judge

Dated: \_\_\_\_\_